

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

[21-cv-03496-AMO](#) Surgical Instrument Service Company, Inc. v. Intuitive Surgical, Inc.

TRIAL SHEET, EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFF ATTORNEY:	DEFENSE ATTORNEY:
Araceli Martínez-Olguín	Richard McCaulley and Joshua Van Hoven	Kenneth Gallo, Paul Brachman, William Michael, and Joshua Hill
TRIAL DATE:	REPORTERS:	CLERK:
January 22, 2025	Debra Pas	Alexis Solorzano Rodriguez

EXHIBIT NO.	TIME OFFERED	ID	DESCRIPTION
	8:00 AM		Court called into session. Deposition designation objections discussed. The Court issued rulings as described on the record. The Court heard additional oral argument from both Defendant and Plaintiff regarding Defendant's motion under Fed. R. Civ. P. 50 for judgment as a matter of law. The Court DENIED Defendant's motion for judgment as a matter of law [426] for reasons stated on the record.
	8:31 AM		Court in recess.
	8:33 AM		Court back in session. Jury brought into the courtroom. Witness Mr. David Rosa called back to the stand. Defendant's counsel, William Michael continued direct examination of David Rosa.
602-R	9:04 AM	1995-10-29 - Draft of 10/29/1995 Intuitive Surgical Devices™ Business Overview Memorandum (Copy No. 26; Issued to Dave Rosa)	Admitted and published to the jury.
	9:29 AM		Court in recess. Jury excused for break.
	9:38 AM		Court back in session. Jury brought into the courtroom.
1633.003-R	9:39 AM	Compilation of Early Intuitive Customer Contracts (2000)	Admitted and published to the jury.

1634.323	9:49 AM	Compilation of Early Intuitive Customer Contracts (2020)	Admitted and published to the jury.
616-R	9:54 AM	07/28/2017 Third Party Compatibility List, IS2000, IS3000 1009792-01-B	Admitted and published to the jury.
1642	10:33 AM	Summary of Intuitive's R&D investments as reported in Intuitive Form 10-K filings	Admitted and published to the jury.
1585-R	10:37 AM	01/01/1998 Intuitive Surgical Form S-1	Admitted and published to the jury.
	10:45 AM		Jury excused for break. The Court ordered the parties to amend their lists of proposed jury instructions and verdict forms to conform to the evidence presented at trial. Assuming enumeration of the proposed jury instructions as set forth in the parties' joint submission, Dkt. No. 266, each party shall submit a list striking through the proposed instructions that it deems unnecessary for presentation to the jury. In addition, each party shall re-submit its proposed verdict form, also amended to conform to the evidence presented at trial. No further briefing or argument may be submitted. The Court ordered the parties to file their respective submissions on the docket by 1/23/2025 at 5:00 PM PST.
	10:53 AM		Court in recess.
	11:03 AM		Court back in session. Jury brought into the courtroom.
1632.022-R	11:28 AM	Compilation of Intuitive Form 10K Filings	Admitted and published to the jury.
1389	11:34 AM	04/09/2018 Email from S. Brogna to D. Rosa et al. re Emailing - 4M Roadmap Background Material - 04-07-18 (003).pdf, with attachment	Admitted and published to the jury.

1323	11:49 AM	03/09/2017 Email from B. Runman to E. Lubbers et. al. re Allina Q1 BAM slides, with attachment	Admitted and published to the jury.
1314	11:52 AM	03/02/2020 Phoenixville Hospital ROI for 2019 daVinci	Admitted and published to the jury.
1325	11:56 AM	07/09/2019 Email chain ending with email from B. Runman to J. Lowe et al. re Essentia Brainerd - QTI, with attachments.	Admitted and published to the jury.
1394	12:08 PM	02/18/2020 Value of Avoided Price Increase of Your da Vinci Surgery Program Presentation.	Admitted and published to the jury.
	12:12 PM		Jury excused for lunch.
	12:14 PM		Court in recess for lunch.
	1:01 PM		Court back in session.
	1:04 PM		Jury brought into the courtroom. Witness Mr. David Rosa called back to the stand. Defendant's counsel, William Michael continued direct examination of David Rosa.
	1:08 PM		Plaintiff's counsel, Richard McCaulley began cross- examination of David Rosa.
	1:50 PM		Jury excused for break.
	1:51 PM		Court in recess.
	1:58 PM		Court back in session. Jury brought into the courtroom. Witness Mr. David Rosa called back to the stand. Plaintiff's counsel, Richard McCaulley continued cross- examination of David Rosa.
	2:26 PM		Jury excused for the day.
	2:27 PM		Court adjourned for the day.